

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RICHARD CARL HOWARD II,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

Case No. C14-1854-RAJ

ORDER DISMISSING ACTION

The Court, having reviewed petitioner's petition for writ of habeas corpus, the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, and the remaining record, hereby finds and ORDERS:

(1) The Court adopts the Report and Recommendation;

(2) Petitioner's petition for writ of habeas corpus (Dkt. 8) and this action are DISMISSED without prejudice;

(3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED; and

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ORDER DISMISSING ACTION  
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1 (4) The Clerk is directed to send copies of this Order to petitioner and to the  
2 Honorable Mary Alice Theiler.

3 DATED this 23rd day of March, 2015.

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6 The Honorable Richard A. Jones  
7 United States District Judge  
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